

Claims 1 and 5 are rejected, under 35 U.S.C. § 102(b) as anticipated by IBM Technical Disclosure Bulletin Vol. 28, No. 1, June 1985, pages 110, 111 and 112, hereinafter "IBM TB".

Claims 2 - 4 and 6 - 12 are rejected, under 35 U.S.C. §103, as follows:

Claims 2, 6 and 7 as unpatentable over IBM TB in view of August '592;

Claim 3 as unpatentable over IBM TB in view of Ogawa JP'523;

Claim 4 as unpatentable over IBM TB in view of Goth et al. '853;

Claim 8 as unpatentable over IBM TB in view of Scharli '433;

Claims 9, 11 and 12 as unpatentable over IBM TB in view of Scharli '433 as applied, to claim 8 and further in view of Kunsagi et al. '282; and,

Claim 10 as unpatentable over IBM TB in view of August '592.

Claims 1 and 8 are in independent form.

Claims 2 - 7 are dependent, directly or indirectly, from claim 1.

Claims 9 - 12 are dependent, directly or indirectly, from claim 8.

The IBM TB reference is the sole reference in the rejection of claims 1 and 5 and the primary reference in the 35 U.S.C. §103 rejections of claims 2 - 4 and 6 - 12.

In IBM TB, the heat pipe assembly comprises a vertically extending, heat receiving pipe, or evaporator portion, having, at its opposite ends, vertically spaced, horizontally extending and parallel disposed top and bottom condenser portions, with a mounting fin mounted on the top condenser portion and a mounting fin mounted on the bottom condenser portion. Straps of thermally conductive material are wound around the vertically extending heat receiving pipe or

evaporator portion and are metallurgically bonded to the vertically extending heat receiving pipe portion as the "heat input" from the "heat pipe assembly".

The manifold coolant which, from Fig. 3, page 112, of IBM TB reference, appears to be water, is supplied and returned through floating pipes attached by pipes and manifolds parallelly disposed and in close proximity to each of the top and bottom vertically spaced condenser portions of the heat pipe assembly of IBM TB.

Claims 1, 5 and 8 and, through dependency, claims 2 - 4, 6 and 7 depend, directly or indirectly, from claim 1 and claims 9 -12, depend, directly or indirectly, from claim 8, and, among other things, recite a heat pipe sealed at its opposite ends, having a generally U or V shaped profile, sealed at its middle portion to a heat receiver and secured along its outer length, between its opposite ends and the middle portion, to a plurality of horizontally extending, vertically spaced radiation plates and wherein the heat receiver and the radiation plates which form the heat radiator are thermally connected to the heat pipe.

Thus, the heat pipe cooler of claims 1 - 12 of the instant application, as amended, is basically different from the water-enhanced selective module cooler of the IBM TB reference taken alone and combined with August 3,143,592, Ogawa JP-0065523, Goth et al. 5,699,543, Scharli 3,653,433, or, Kunsagi et al. 4,226,282. There is no teaching, nor any suggestion in any of such references, taken alone or combined, to substitute any part of the teaching of any such reference with any part of the IBM TB reference as the Examiner proposes. Furthermore, even if the teaching of one or more of such references were combined with the teaching of the

IBM TB reference, as the Examiner proposes, such combined reference would fall far short of teaching or suggesting the invention recited in claims 1 - 12, as amended.

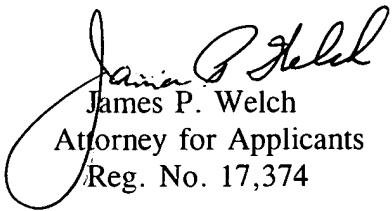
For the reasons discussed above, claims 1 - 12, as amended, all of the claims in this application, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney by telephone, at the telephone number indicated below, to arrange for an interview to expedite the disposition of this case.

In the event this paper is not timely filed, Applicants respectfully petitions for an appropriate extension of time. The fee for such extension, and any other fees which may be due with respect to this application, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

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